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*\*Admitted in New Jersey*

September 21, 2024

**BY ECF**

Hon. Lewis J. Liman  
United States District Judge  
Southern District of New York  
500 Pearl Street, Rm. 701  
New York, NY 10007

Re: United States v. Gerald Shvartsman,  
23 CR 307 (LJL)

Dear Judge Liman:

I am retained counsel for the above-referenced defendant.

I write to request that the Court adjourn the sentencing in this matter for approximately a week, with the consent of the government. Mr. Shvartsman's sentencing is presently set for October 9 at 2 pm, and I am respectfully requesting that the Court adjourn the sentencing to October 16 or thereabouts. The government has no objection to this request for a brief adjournment, and I note that I have an open calendar on October 16, so if the Court adjourns this matter exactly one week, that will fit my calendar and such an adjournment will be consistent with the government's agreement. In addition, on the 17<sup>th</sup> of October, I have a final pretrial conference before Judge Castel in the matter known as United States v. DaCosta, 23 Cr. 610 (PKC), so a sentencing later that morning or in the early afternoon would also be convenient for me, and I think would not bother the government too terribly much. So if either of these times is convenient for the Court, they would work for the parties as well.

The reasons for this application, which I make with the consent of the government, are as follows.

As the Court is aware from the disclosure of the Final PSR in this case, the defendant has recently developed a significant medical condition – Crohn's disease – which caused a short delay in the disclosure of the Final PSR, so that medical records relating to this condition could

be examined by the Probation Department and a reference to this condition could be included in the Final PSR. In addition, Mr. Shvartsman's sentencing raises interesting issues, which I want to brief in full and with due care. Because I am juggling this matter with an upcoming trial before Judge Castel and some new business just retained, I asked the government to consent to a modest adjournment and they graciously agreed to one. I am quite confident that I will be able to do my best for Mr. Shvartsman and I will get everything filed on time if the Court grants this application. Without a short adjournment, I will be behind the proverbial eight ball.

If the Court is inclined to grant this request, it may do so by executing this letter at the "So Ordered" signature line below.

Respectfully submitted,

*Roland G. Riopelle*

Roland G. Riopelle

Cc: All Counsel (By ECF)

The Defendant Gerald Shvartsman having made an application for an adjournment of his sentencing date for approximately one week, the government having consented to such an adjournment, and good cause appearing to grant the Defendant's application,

IT IS ORDERED, that the sentencing in this matter be adjourned from October 9, 2024 at 2 pm to October \_\_\_\_, 2024 at \_\_\_\_\_.

IT IS SO ORDERED:

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HON. LEWIS J. LIMAN  
U. S. D. J.